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535.12 r. 29 The address of His Honor J. Clayton Jennyns...to the planters
and merchants of the United Colony of Demerara & Essequibo.

PRESENTED TO THE UNIVERSITY
BY THE RHODES TRUSTEES

J. J. Pursey

THE
ADDRESS
OF
HIS HONOR J. CLAYTON JENNYNS,
THE SECOND FISCAL,
TO THE
Planters & Merchants
OF THE
UNITED COLONY
OF
DEMERARA AND ESSEQUEBO,
On the relative Duties of Master & Slave;
WITH AN
INTRODUCTORY PREFACE
FROM THE
EDITOR.



"Scribo bona fide, probaque veritate, qui meliora
habet eadem det animo."



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PREFACE.

As a Planter and Proprietor of Estates in the British Guiana, I have often considered the introduction of the Missionaries into those extensive Colonies, with the countenance given to them by the Government, as a measure pregnant with fatal consequences ; and which, at no distant period, will deluge those fertile regions in the blood of its white Inhabitants. Under such impressions, the Address to the Planters and Merchants of the Colony, by his Honor J. Clayton Jennyns, in his character of Fiscal, was put into our hands. The motive which gave occasion to it awakened our attention ; and we have no hesitation in stating that, from our own apprehensions, we read his Address with all the interest, its subject is calculated to excite.

It was our original intention to have annexed an attack made upon its Author in the true spirit of the *Ministry* ; but it having been refused by one Printer, and on maturer consideration, perceiving too much of objectionable, and as we were advised of libellous matter, we did not

feel ourselves safe in reprinting it. Our doing so was the less necessary, as these papers have been collected together, and published in the Colony. It was beside suspected by our Correspondent, that had not such an anonymous recrimination been sheltered by the influence of the Missionaries, the *Licencer of the Press* would have interposed his authority and obstructed the publication of such an unauthenticated document, with no name affixed, with no general interest, and of no public utility. We may be permitted the expression of our doubts as to the prudence, where there is a *Licencer of the Press*, of allowing to be disseminated very pernicious doctrines, under the pretext of a reply to a Public Officer acting in his Department. It must not, however, be supposed, that we mean any disrespectful allusion to the gallant Officer at the head of the Government, for with a very few exceptions, we should be much inclined to give to his Administration our unfeigned approbation. But if the influence of the Missionaries be already grown to such a size, as to keep the Government in awe, and it dare not resist their mischievous progress; it should also be recollected that the principles of equality they preach, are not confined to our colonial possessions, but are striking their roots widely and deeply among the lower orders of England. Cromwell, professing to be urged to his usurpation by a spirit "that would not wait the

Lord's leisure," overturned the Monarchy, with an army of *Saints*. They continued their mischievous combinations until after the restoration, when in the 22 of Car. 2d. it was found expedient for the safety of the establishment to pass an act to prevent *Seditious Conventicals*. It needs no supernatural gifts of prophecy to foretel, that many Parliaments will not be dissolved, before the wisdom and the policy of such a law will again become obvious and indispensable. The corrupting and revolutionary effect is already seen, in the avowed, the vulgar, and wide spreading disdain of every thing that is noble and exalted in the country. Professing to follow from policy a system of detraction and persecution, and taking for their example the practice of the French Revolutionists at the commencement of their horrors; they also arm themselves with the terrors of *denouncing*; in their language, it is *representing*, and openly boast of having *represented* the Second Fiscal. It has been communicated to us, that they give the promise to their *Hearers*, of his being met in England by the provoked reprobation of his Majesty's Colonial Minister; and if he returns, he must return to humble himself before them. We can view such arrogant pretensions in no other light than as an audacious calumny on the Noble Lord; but should it be the case, away goes every hope of

finding in our Public Officers, the independent and proud feeling, so essential to their dignity. But if the Gentleman who has fallen under their proscription, should on such an occasion compromise his independence and even breathe a submission, we will venture to give him the assurance, that with the fixing us under the unrestricted and baneful influence of men, who having no interests at stake, and no fortunes to sacrifice, are callous to the ruin they project, he will inevitably fall from the effective and independent exercise of his essential duties into a useless office, humbled and degraded.

But the Address of that Public Officer, and which has brought upon him so vindictive a recrimination, should have remained unnoticed by us, were it not on a subject of daily, of hourly interest, and coming from a Magistrate in the evident design of, checking irregularities, as loudly as universally complained of, and with every appearance of growing into serious disorders. It presents itself in the character of a charge to a Grand Jury on local circumstances calling for investigation, and resembling the Album of the Roman Prætor, explains the rule and the principle of the law about to be administered.*

* Non Sine causa in usum venerat apud Romanos, Album Prætoris, in quo præscripsit et publicavit, quo modo ipse jus dicturus esset, quo exemplo judices in curiis Prætoris regulas sibi certas (quantum fieri potest) proponere, easque publice affigere debent. Etiam Optima est lex, quæ minimum relinquit arbitrio Judicis, Optima Judex, qui minimum sibi.

BACON.

The Roman Law is practiced in Denmark.

Its obvious design is to call the public attention to a consideration of the pernicious novelties introduced with such wide spreading zeal, not only into the British Guiana, but into all our West India Settlements, and which have awakened the fears of every man, not rendered by a perverse fanaticism in the pursuit of its chimeras, as callous to the shedding of human blood, as it is indifferent to the destruction of the most splendid establishments.

The subject is of the highest importance, and on its proper understanding, mainly, if not entirely rests the good order, tranquillity, and safety of the Colony. In whatever manner such a work might have been executed, when the good intention was manifested, that of securing the public peace, and of guarding against an overwhelming calamity, it became entitled to protection; and as it was certain of provoking the vindictive resentment of every masked conspirator against the established order, it legitimised a claim, to which the executive Government ought not to have been insensible. There can be no doubt, that questionable and suspicious characters will feel no predilection for a Magistrate, who directs the public eye on their movements; and perceiving from the Colonial Papers that the Second Fiscal has been already assailed in all the mild and forgiving temper of the Ministry, it is more than probable he will be pursued to Europe with the same appeasable spirit of

Sectarean placability. But the truths he has told should be known and dispassionately considered; more particularly by his Majesty's Government: When, without presuming to offer any advice, of which it stands in no need, we may be allowed to say, that the prudence of the moment demands that it should not lend itself, but be openly opposed to the wild projects going to a meditated and approaching devastation of rich possessions, largely contributing to the general resources of the empire, to the support of the navy, to the employment of a superabundant starving population, and to the consumption of its manufactures. Let these fruitful Settlements be converted by the virtue of the Saints into a savage Hayti, once the splendid St. Domingo, the ruin will then approach our own shores, and knock at the very doors of the authors of it, in a hideous and gigantic shape, in which did it now present itself but in perspective, they would be awed by it into silence and reserve. It has become a little too serious, that such important interests as those of the British Colonies, (for Colonies and Commerce are synonymous terms,) in which the prosperity of the Empire itself is involved, should be preposterously abandoned to the most factious and insidious designs. The consideration of the frightful carnage, the annihilation of so many human beings, of women, of children, and of the same complexion,

of the same sympathies, of the same education and sentiments, inspires in these headless Apostles of destruction, no sentiments of compassion, no remorse, no hesitation. Is it then possible, not to concur in the reprobation of the seditious and atrocious publications circulated with impunity throughout England, by which the Blacks are to be inflamed into an abhorrence of their Masters, and invited into the most insurrectionary enterprises. Yet justice itself must make no enquiries on the subject. We are not to be allowed even to shudder at the dreadful and approaching consequences of such sanguinary proceedings; we must for ever close our lips on the sacred calls of reason and humanity. All consideration and compassion is to be confined exclusively to the Negroes, and to be denied to the whole of the White population in our Colonies.* It is indeed time

* While writing the above lines, there appeared in the Morning Herald, of the 4th June, 1816, the following paragraph; its great object appeared to be to introduce the most hyperbolical encomiums on the *revolutionary Blacks* of St. Domingo, to the following effect—*"Schools for all."* At the Anniversary Meeting of this grand Institution. His R. H. the Duke of Kent returned thanks on his health being drank. But very great emotion of pleasure appeared to agitate the Assembly when that part of the Report of the Institution which regards Hayti was read. The Chief Christophe deeply penetrated with the benefit of knowledge and of the diffusion of the Scriptures, invites among his people all those who can contribute to their improvement.

A proclamation was then read, purporting to be from Christophe, and a part of it is as follows:—"After 26 years of revolution and 15 years possession of hard earned independence, we are not the same people. Formerly as brutes we were bowed under the lash of cruel and ignorant Masters, as men we were dead, but we burst our

that the Colonial Proprietors and the real Philanthropist, who can take no delight in the shedding of European blood, should unite for the protection of the lives of their countrymen, connections and friends, against as wicked a conspiracy, as has ever, without punishment, been permitted to

“ chains and again erect, we look upwards to Heaven as men, as social Beings—*A New Era is now before us, &c. &c. &c.*”

Now besides that all this bears evident marks of being a London composition, and for London purposes, it is directly in the teeth of the fact, well known to every man who has visited that devoted Island, that a more unmitigated and unrelenting despotism exists no where on the face of the earth, and in a more frightful form. That the great mass of the population, I speak of the *wretched Beings kept as labourers*, who are the most numerous and the most helpless, are now groaning under task masters, and under a servitude much more rigorous and merciless than was ever inflicted upon them by the Whites. It is alone the Christophes, the Petions, and the most presumptuous and audacious ruffians who are lording it, over all their rights, and who hold the subdued Negroes in chains, and who enjoy, in ease and security, the fruit of their labours. The fact must be known to their hypoeritical eulogist in London, but for their encomiums on these savage and successful insurgents they have their sordid reward: truth and humanity is the least part of their consideration.

In the leading article also of that day, and in capitals, the following advertisement appeared in the same paper: “ The Jamaica papers were received yesterday. The Colonial Assemblies shew an enmity to the views of the Slave Registry Bill, *which we hope will prevent any reliance upon their rendering it unnecessary.* They talk loudly as is their custom. We notice it only to say, that the more the Bill is opposed by *Slave Owners* the greater proof we have of it being necessary, to prevent the introduction of new Slaves.” These happen to be the paragraphs of the day, and are tame in comparison to others of the same description with which the Journals are crowded—*Insolent ignorance, mercenary falsehoods, sanguinary passions* of Planters, are their mildest epithets.

Is not the danger of these calumnious representations, and of thus raising the standard of rebellion against the legitimate and established authorities, obvious to the plainest understanding?

proceed in its murderous machinations. We will ask with the Second Fiscal—" *Is there a Country in the known world, in which any man, who, in the attempt to stir up the lowest classes of the community against the Proprietors and Manufacturers, would not instantly be committed to prison, tried, and upon conviction of the offence, executed. Why then should it be permitted with impunity towards the Colonies? And why should not these fomenters of sedition and discord be in like manner restrained in their traiterous enterprize, and be equally amenable to criminal justice?*"

But we shall for the present refrain from a fuller discussion on that interesting subject, and proceed to his observations on the too frequent interference of the Magistrate between the Master and his Slaves; when we feel convinced, that no person acquainted with the local circumstances, can possibly read them, and not be impressed with all their propriety. We have often witnessed its injurious effects; and when not conducted with the utmost discretion and experience, how often the officer brings his authority into contempt, and inflicts upon the Master the loss, of what is the fundamental basis of the tranquillity of the Colonies, that sense of superiority, that deference and submission, to which the Negroes are cheerfully and naturally inclined, unless for the most insidious and destructive purposes, those ties be broken, and other doc-

trines preached and inculcated. The Negroes feel a sentiment of pride in being attached to a white instead of a man of their own colour. Content with their condition, they look for no other happiness than that of belonging to a benevolent and kind master. The Fiscal appears to us to have drawn the just distinction :—Forbearance, kindness, and humanity from the Masters, subordination and obedience on the part of the Negroes, protection and justice from the Magistrate. That the civil authority can do nothing so well, without compromising the influence of the Master, as generally to confide in the prudence of the individual, for the conduct of his domestic regulations, which he must understand much better than the public officer. But that though complaints of oppression and ill usage are not to be invited nor anticipated, yet, when instances of either shall shew themselves, it then becomes to use his own terms—“The duty of the considerate and benevolent to bring them to justice; and one example founded in humane principles, and opportunely given, will prevent the necessity of a thousand others.” —In another part of the Address are the following sentiments :—“That it must not be imagined he was for recommending a severe discipline, unmitigated and untempered by justice and humanity. In committing the fate of the cultivators of the soil to the good sense and bene-

"volence of their masters, he did not scruple to
 "admonish such possessors of discretionary power,
 "that there are natural and social obligations, from
 "the strict observance of which, they can never
 "deviate without dishonour. That there are
 "mutual relations and reciprocal duties, inse-
 "parably united with enlightened and correct sen-
 "timents, and for ever founded on their true and
 "invariable interests. What pleasure then can be
 "purer or more exalted, than that of a master;
 "suffusing contentment and happiness over all the
 "beings under his direct and immediate depend-
 "ence? His temper and moderation would correct
 "and purify all that is painful and distressing in the
 "exercise of his absolute power, and by his hu-
 "manity it would become legitimate and enno-
 "bled." In such an admonition we perceive an
 anxiety to avoid that sin of all arbitrary adminis-
 tration, the propensity of inflicting, in advance,
 the condemnation of ^{the} guilt on all those who might
 by any possibility become so; and a zeal is
 observable, more directed to prevent the occur-
 rence of offences than to punish them. It must
 be confessed, that an authority, grounded on
 the public sentiment and the public opinion,
 permitting neither oppression or impunity, would
 go further to correct a harsh and intemperate
 exercise of power, than all the satellites and

executioners of justice could accomplish without it.

With respect to the observations of Mr. Jennyns on the criminal law, we do not feel ourselves qualified to give an opinion, or are we competent to decide whether the irregularities and disorders, of which we have every reason to complain, proceed from the code itself, or from the manner in which it is administered. But we are well acquainted with the fact, that the prison is now most inconveniently crowded with prisoners, and that years will pass away before they are put upon their trial, and until both the crime and the criminal are forgotten. We must hope, that the representations transmitted on the subject, will direct the attention of his Majesty's Government to such real evils, but which will subsist, as long as the mere occupiers of important offices, intent alone on their emoluments, shall be charged with a sacred trust, which ought to be confided to men fitted for the duty.

We should however be here wanting in justice to the Society he has left, and in candour to the learned Gentleman whose Address we have reprinted, did we not in this place give its due weight to the complaint that has been urged against him, "*That he should have remained at his post, and not have abandoned it as soon as he had occupied it.*" The commu-

nity had a right to look to his required services in obviating the delay and uncertainty with which our criminal proceedings are encumbered, and with which he appeared to have been deeply impressed. We repeat, that as he was the only lawyer in the important office of Public Prosecutor, we entirely concur in the censure of his having so abruptly quitted his duties, unless indeed the fact be, as intimated to us, that he was to have been removed from the *Courts of Law* to a distant coast, without tribunals or officers of justice, interdicted the exercise of his legal functions, and rendered useless in his office. He has given an explanation of his reasons to the Society he was about to leave; and if the motive he has assigned as a pretext for his absence be the real one, we must consider it as respectable. It is to the following effect:—"That it was the sense alone of the
 "obligations demanded in the administration of
 "criminal justice, and *the impracticability grow-*
ing out of the position in which he was placed,
of fulfilling its duties, that made it incumbent
 "upon him to obtain a leave of absence, that some
 "information might be given on the subject.—That
 "to hold an office charged with the tranquillity
 "and safety of society, and to be useless in it,
 "would have been a crime against the public;
 "and instead of a vigilant Public Officer in his
 "department, whose province it is to uphold the

"public order, had he been indifferent to it, he would have become a criminal who ought to have been punished." Now if such be the fact, that he was to have been removed from the *Courts of Law*, and his *legal duties rendered impracticable*, it is a proceeding we can neither understand or explain; for it cannot be unknown to any one in the least acquainted with his official functions, that the Fiscal is essentially a *legal officer* of high responsibility. As Prosecutor for the Crown, he proceeds *ex-officio* against the disturbers of the public peace, and against all those who contravene the laws and ordinances of the State. It will be then admitted, that the community, whose security is confided to him, possesses the right of expecting, that he should *personally* execute that important office. How incomprehensible then is it, when the opportunity occurred, that it should have been immediately closed upon the first English Law Officer, who had undertaken personally to exercise his legal functions as Fiscal, and that the necessity should have been imposed upon him of being heard only through a substitute, who himself employs a substitute.* Where such a practice prevails, it

* The Second Fiscal, who is a Barrister, was precluded by this arrangement from conducting or even appearing in the criminal prosecutions, and which by his oath of office he is bound to do; but he was to have transmitted the law proceedings to the First Fiscal, who having been an Officer in the Lincoln Militia, and not a Lawyer, is under the necessity of employing some deputy. Now all the com-

can confer no honor on justice, or can it be thereby rendered efficacious or respectable. For it will not be denied that a Magistrate, who by his rank invites on his conduct the public observation, must *personally* appear in his place, and it is his voice that must be heard in the temple of the laws. All the highest virtues, the rarest qualifications are demanded in the administration of criminal justice; but when its ostensible public minister is only known through the medium of his substitute, the dignity of his office becomes necessarily obliterated. Something sordid and degrading involuntarily mixes itself with our impressions. Instead of the awe with which we ought to be inspired, his absence is alone felt, and in spite of ourselves, it is the fee'd Advocate that is present to our imaginations. We must in this place be allowed to make the observation that, although in such a population as that of a West India Colony, more might be accomplished by the influence of sentiment and of opinion than by severe and inflexible laws, in keeping the Proprietors of Slaves to a due sense of their moral duties and to the mitigated exercise of an

"common sense is to be found in the converse of that proposition. The Officer might have been permitted to rusticate, and the Lawyer stationed at the Courts in the performance of his duties."

The above facts we have from authority; and that the Court of Justice of the Colony had felt itself under the obligation of making very serious representations on the subject. We can then feel little doubt, that when it falls under the consideration of the Earl Bathurst, as Colonial Minister, he will not long permit to exist so obvious a *satire* on all judicial administration.

arbitrary authority ; that yet the fate of the Negro is not to be entirely at the capricious disposition of his Master, but is to be protected by certain and fixed rules, and by a well constituted and vigilant police. It then becomes peculiarly important that our legal functionaries should not be taken at random, but be men of professional education and habits, and duly impressed with the obligations of their station. It is to be lamented, that sufficient attention has not been given to such considerations.

We must not however further intrude on the patience of the reader with our reflections, but here conclude with stating, that under such peculiar circumstances, those interested in the prosperity of the British Guiana, cannot be too soon or too urgent in their application to Parliament, and we are in possession of sufficient materials on which to ground such an application, that as loyal subjects in one of his Majesty's Colonies, we should enjoy the benefit of the Constitution, with the security of its fixed and ascertained rules, and be protected by a Bench of Magistrates, and a British Jury, and British Laws, against the uncertain and capricious exercises of authority.

THE EDITOR.

Extract from the Guiana Chronicle.

"On account of the great demand for our last Publication, and a number of Gentlemen having expressed a wish to be supplied with copies of the Hon. J. Clayton Jennyns's Letter, addressed to the United Society of Merchants and Planters, we have been induced to re-insert it in our Paper of this day."

TO THE UNITED SOCIETY OF MERCHANTS
AND PLANTERS,

GENTLEMEN,--It was with great regret that I was prevented by indisposition, from attending the meeting assembled for the purpose of celebrating the establishment of your Society. I was anxious to offer my congratulations on its probable beneficial results, not only to these Settlements, but generally to the British Colonies, and I should have imposed upon myself the voluntary task of making a few observations on such subjects, as appeared to me to call for an early and united consideration. Without flattering myself that I should have carried into that discussion, all the intelligence and information it peculiarly demands, I had encouraged a hope, that from a little local experience, I should have been allowed to offer my humble assistance in discrediting errors and prejudices, in which are compromised, not only the prosperity, but the very existence of the colonies.--It may be broadly asserted, that the most perfidious and phrenetic calumnies, taking their source in those very errors, are eagerly and insiduously propogated by men, who, with a bewildered understanding and strangers to the Antilles, perversely abstain from seeking authentic information, or from studying and appreciating the negro character in the place itself, but with stubborn obstinacy persist in receiving all their impressions from their own disordered imaginations, from exaggerated representations, and the most inflamed descriptions. These seditious

rumours are, for hypocritical purposes collected, and with a wicked industry circulated through every European community, and more particularly in England. But the opinion entertained of the white superiority constitutes the great palladium of the general security, nor should it ever be with impunity attacked. Is it not in the experience of every age, that when a civilized people are let loose from the magic and controlling influence of *opinion*, they fall into the most dreadful excesses: how much more extensive then will be the mischief, when its salutary power is disturbed or obliterated in a savage and uncivilized state? Yet it is not to be denied, that the most incendiary publications are allowed to be multiplied and continued, with the avowed design, not only of destroying that opinion of superiority, but also of provoking the most sanguinary conspiracies.--I will ask, is there a country in the known world, in which any man, who, in the attempt to stir up the lower classes of the community, against the great proprietors and manufacturers, would not be instantly committed to prison, tried, and executed? Why then should it be permitted with impunity towards the colonies? And why should not those fomenters of discord and sedition be in like manner restrained in their traitorous enterprize, and be equally amenable to eriminal justice? Yet it is notorious that a sect of incendiaries, self yclept philanthropists, but in reality anti-social and anti-human, are permitted to insert in the public journals their inflammatory falsehoods, uncensured and uncontradicted, and without any hazard to their persons or fortunes, or without the offer of any pledge of their just and beneficent intentions.--On the contrary, in their expansive

love for the objects of their seduction, they have long and openly proclaimed themselves the enemies of the colonies, and are without punishment allowed to avow their inveterate and implacable hatred to the whole of their white population.

It would not be difficult to demonstrate the danger of such factions and homicidal proceedings, and which must in the end overthrow a state of things prosperous and comparatively happy, to substitute in its place every possible and imaginable evil. Let it be remembered too, that a severe lesson, contained in an ever memorable event, stands recorded as a warning, that those insurgents never conceived of themselves the desire or the possibility of throwing off a mild legitimate authority, but that by threats and even by tortures, they were by known and avowed agents, driven into a rebellion, fomented, projected, and organized in France. It becomes then a wise and necessary policy to keep a jealous and watchful eye on the movements of the Missionaries. They should at least be called upon to offer some guarantee of their good intentions, and their pretensions to the public esteem and confidence should be clear and unequivocal.--I am however far from wishing to deny to any condition the consolations of religion, nor am I insensible to the powerful influence of good example and of sacred exhortations to forbearance, temperance, and obedience:--But I can have no hesitation in stating, that when a holy ministry is perverted to treacherous purposes, when the nature and the extent of their duties are forgotten, and a clamorous voice is heard spreading the infectious venom of its incendiary opinions and doctrines, it then becomes degraded into an atrocious and guilty enterprize, calling for a prompt and exemplary punishment.

Under circumstances so critical, it was quite expedient, unless indeed they were willing to become irrevocably the victims of preposterous and dangerous novelties, that an association should be formed of the respectable Planters and Merchants, who possess the knowledge of all those local circumstances, those objects of detail, and of all those social relations, without which, it is impossible to form any correct or just notion of a real and practical utility. Every wise administration of government, is founded on the truths of experience, on the knowledge of facts, and on practical ideas, rather than on wild theories and metaphysical abstractions. The Planters and Merchants have an interest, evident and immediate, that they should either by themselves or by an intelligent organ of their sentiments, make themselves correctly understood by his Majesty's Government. When, with its talents and experience in political administration, and with their conviction of the value and growing consequence of these colonies, it is to be expected, that a ready co-operation will be given, to defend and support that good order and natural subordination, which is the only secure foundation of a safe and permanent authority.

This is not the place to go into all the discussion which this most interesting subject would suggest, but I cannot refrain from saying a few words on a question of domestic policy, with which I was deeply impressed during the short exercise of my official duties. It will have been seen from the preceding reflections, that I am fully sensible of the overruling necessity existing in the colonies, of the strictest subordination, and that every suggestion with any tendency to enforce it, cannot be entirely without interest. I will therefore venture to

state it as my humble opinion, that the authority of the master over his negroes, it being constantly employed on minute details, and being in its nature prompt and of hourly application, is not to be encumbered with official formalities. The sudden exercise of it is indispensibly necessary to keep them to obedience and their duty. He is perpetually called upon to repress and to correct offences of daily occurrence, such as the delays or absence from work, thefts, and quarrels among themselves, or acts of insubordination towards the managers or overseers.--The correction of such faults is only useful and efficacious as it is promptly applied. It is a power to be exercised by the proprietor as sole chief and magistrate. Without it, would it be possible efficaciously to superintend and to conduct all the complicated relations which enter into the administration of a plantation. Living isolated and at a distance from any other resource or ready assistance, how otherwise could he make himself respected, and impose obedience on 200 or 500 negroes.--It would become entirely impracticable to check and to restrain the disorders which would ripen into serious evils, if the masters were not armed with a powerful coercive force to apply suddenly the remedy.--His power cannot, without danger, be brought into doubt or discussion--it should never be opposed or thwarted by any intermediate authority. The Public Officer, when he *often* appears, and with the interposition of his controul, however wisely and discreetly it may be combined and administered, must always run the hazard of compromising that influence of the master which cannot be dispensed with without danger. No, I feel convinced, that the interference of the magistrate is ~~an~~ to

be admitted with great caution, or the mischiefs which will result from it; will be greater than those it was intended to prevent. The policy of giving absolute authority to all persons in the command of great bodies of men, is not confined to colonial establishments.-- It exists as a law of the first necessity even in the freest European societies. In the army, in the navy, in corporations, and in great manufactories, are not the subjects of them handed over unconditionally, and abandoned to the summary rule and discretion of their commanders.* All such dominion must be in its nature arbitrary; and if it has been found expedient in white or free societies, to give the power of arbitrary punishment, is it not more indispensably necessary in the colonies and on dispersed estates, where, if it were not possessed the negroes would soon hold their conductors in contempt.

Let it not however be imagined, that I am for recommending a severe discipline, unmitigated and untempered by justice and humanity. In committing the fate of the cultivators of the soil to the good sense and benevolence of their masters, I do not scruple to admonish such possessors of discretionary power, that there are natural and social obligations, from the strict observance of which, they can never deviate without dishonour. That there are mutual relations and reciprocal duties, inseparably united with enlightened and correct sentiments, and for ever founded on their true and invariable interests. What pleasure then can be purer or more exalted, than that of a master, suffusing contentment and happiness over all the beings under his direct and immediate dependence. His temper and moderation would correct and purify all that is painful

* The printed paper in our possession being in this as in other passages, illegible, we have been obliged to supply epithets which might not have been those of the Author.

and distressing in the exercise of his absolute power, and by his humanity it would become legitimate and ennobled.

There are monsters in every system---when they appear in this, it then becomes the duty of the considerate and benevolent to bring them to justice ; and one example, opportunely given and founded in humane principles, will prevent the necessity of a thousand others.

Although I have, without exhausting the subject, gone into greater length than I originally intended, yet I cannot pass to the conclusion, without inviting your attention to the criminal law of the colony.--Criminal justice is an object of never ceasing interest, nor is it ever permitted to be considered with indifference. The fate of all of you, your fortunes, your connections, and of every thing that is dear, depends upon its imperious power. Let us have the courage to speak the truth at all times and in all places. Here the criminal proceedings, so far from approaching to that perfection, which secures the safety and tranquillity of society, in being the terror of guilt and the guardian of innocence, that, as they affect the innocent, or as they favor the impunity of the guilty, are but one mass of barbarous and disgraceful imperfection. It is a law not to be amended and reformed, but to be entirely repealed. It will be unnecessary to go into an elaborate detail of all its uncertainty and irregularity, it is sufficient for the present purpose to state, that it exists in violation of a most essential rule in the administration of criminal justice ; which is, that its proceedings should not be delayed. A speedy judgment constitutes a part of justice: to judge late is to commit an act of injustice. Every

crime is an offence against the public, and in the punishment, the benefit of the example is of the first importance.--But the criminal prosecutions here, are so encumbered with dilatory technical formalities, and which appear to have been uselessly multiplied, that years must elapse, before either a deliverance or a conviction can pass upon them. Hence all the beneficial results, to be expected from the example of the punishment, is entirely lost, when it is to follow at so great a distance after the commission of the crime.

In calling your earliest and most anxious consideration to these important subjects, I have the honor of subscribing myself, with every sentiment of respect and esteem,

Gentlemen,

Your very obedient servant,
J. CLAYTON JENNYNS,
Second Fiscal.

George-Town, Nov. 20, 1815.

Soon after the appearance of the above Letter, the following was Addressed to the Second Fiscal:

His Honor J. C. JENNYNS, Second Fiscal.

SIR,—We are much surprised to see, in your Letter, addressed to the United Society of Merchants and Planters, that you have made an attack on the Missionaries, and indiscriminately blended our sentiments and designs with those of men of very different principles, though it appears you were aware, that the sanguinary horrors to which you allude, were the effects of revolutionary principles, long fostered by the hand of infidelity, and were not produced by Protestant Missionaries.

From your Honor's precautions to the respectable Gentlemen whom you address, it appears you are totally unacquainted with the doctrines and principles which we inculcate. We, therefore, as individuals, feel it our duty to state, that we conceive our pretensions to the public esteem and confidence are clear and unequivocal, and that our good intentions are guaranteed by our conduct during the number of years we have resided in the Colonies—the doctrines and precepts we have taught—the favourable change produced in the morals of many of our hearers—the satisfaction expressed by many respectable persons who have attended our ministry—and by the testimony of those who have seen the good effects of our instructions. And these, Sir, have hitherto been considered a sufficient guarantee for our good intentions, by their Excellencies the Governors, the Magistrates, and the respectable inhabitants by whom we are patronized.

For the further information of your Honor, we beg leave to state, that the Missionary Society, from whom we came, are formed for the sole purpose of disseminating Christianity through the world, and that they have no connection, directly or indirectly, with any political party whatever. They positively forbid their Missionaries interfering with the political state of the people to whom they are sent. You will see, by the enclosed letter to the Burgher Captains, from Governor Carmichael, what their instructions were to us in this country.

We challenge any person or persons to prove that we have deviated from those instructions in a single instance.

We hope from the above statement, that your Honor

will see the propriety of removing the unfavorable impression which the observations in your letter are calculated to make. We beg the favor of an answer.

We are, Sir,

Your Honor's most obedient

and humble Servants,

RICHARD ELLIOT,
JOHN DAVIES.

*Providence Chapel, Demerary,
Nov. 23d, 1815.*

To the Rev. R. ELLIOT and J. DAVIES.

GENTLEMEN—I have the honor to acknowledge the receipt of your letter, in reply to some observations which you consider as an attack upon the Missionaries.

You will permit me to assure you, that in giving my sentiments to the United Society of Planters and Merchants, I had but one object, which was to maintain undisturbed, the indispensable subordination, which is the fundamental basis of the tranquillity and security of the Colonies. You, Gentlemen, in your letter to me seem to acknowledge that there are persons chargeable with mischievous principles, and you appear not to be strangers to the sanguinary horrors and the dreadful consequences, which have been “fostered by the hand of infidelity.” It is fortunate for the repose of the world, that the sense of mankind renders them slow in giving an unqualified support to any policy that is new and experimental; for experience has shewn,

how often plausible, yet untried projects are perilous in the execution. You will recollect that the Missionaries of St. Domingo presented themselves under such fair and promising pretensions, that they also were cheered, welcomed, and protected by the unhappy victims of their delusion. It is now fully blazoned, that their secret designs were very opposite from their proclaimed and avowed objects. But it was among the misfortunes of that devoted Island, that the Governors, the Magistrates, and the whole of its respectable white population, became the dupes of their revolutionary hypocrisy. I am, however, willing to believe, that your principles are such as you avow them to be, and that, in the mild spirit of our holy religion, the precepts, with which you instruct your hearers, are in conformity to its divine tenets, of humility, obedience, and resignation. To impress, indeed, and to enforce such doctrines, is among the first and undeviating obligations of those professing themselves to be invested with an apostolic mission, but, I repeat, I am willing to believe your declaration, and that you do not inculcate the homicidal lessons, which were exclusively the objects of my humble reprobation. The application of it will therefore fix itself solely on the incendiaries, breathing the pestilential opinions, against which I was willing to provoke a watchful jealousy.--It was under the baneful influence of such opinions, that a state of prosperity, raised up by the labor, and for two centuries cemented by the honest industry and perseverance of the Colonists, has been entirely annihilated. Experience, the infallible guide of human wisdom, having furnished so severe a lesson for the direction of our future conduct, you will permit me to conclude with an

admonition, given by one of the most enlightened and eloquent of statesmen, and in the true spirit of a cautious prudence, "when our neighbour's house is on fire, "it cannot be amiss that the engines should play "a little on our own, and better to be despised for too "anxious apprehensions, than ruined by too confident "a security."

I have the honor to be,

Your very obedient servant,

J. CLAYTON JENNYNS,

Second Fiscal.

George-Town, 24th Nov. 1815.

The above Letter produced the intemperate abuse, mentioned in our prefatory address--to which Mr. Jennyns made the following reply.

TO THE UNITED SOCIETY OF PLANTERS
AND MERCHANTS.

GENTLEMEN,—Preparing for my immediate voyage to Europe, and my thoughts much occupied on other important interests, I had none to bestow on the flighty fictions of a person styling himself Detector; and particularly when his disdain of all truth shews him to be no novice, but practiced in all the tricks of calumny, and that the sin is not with him "accidental but a trade." I had too much confidence in your good

sense to imagine, that you would consider me under any obligation to refute the anonymous scurrilities of every obscure and malignant libeller. The flattering notice you were pleased to take of my address to you, on subjects which I then did, and do now consider as claiming your earliest attention, was, as far as it concerned myself, a satisfactory answer to this Detractor, and it is only to satisfy perhaps some too zealous friends, that I now deign to bestow upon him even a passing notice. Practiced as he appears to be in misrepresentation, he begins by considering the Association of the great Proprietors and Merchants, with the view to advance and protect their real and solid interests, as a mere Convivial Society, and dwells on "*the exhilarating influence of a good dinner and generous liquor,*" with a rapturous delight, as of enjoyments he had seldom been permitted to taste. Who this person is, or from whence he came, or who brought him for the crumbs that may fall from his table, has not been disclosed. He might be a servile follower, or a liveried dependent on some person in office, but that he is some itinerent intruder, is obvious from his total ignorance of the subjects on which he declaims, and from his impudent misrepresentation of the views of the Society, whom he so presumptuously has ventured to libel.--Is he to be told that these colonies are the most rising and prosperous under his Majesty's dominion, and that from their local advantages, fertility of the soil, coupled with the intelligent and persevering industry of Englishmen, valuable and productive interests have grown up, giving the great Proprietors and Merchants, who are identified with them, a legitimate right of association, by which such beneficial results are to be fostered and se-

cured. Are not these Gentlemen entitled to form themselves into a society, and by their united exertion and experience, to watch over and to forward the rising prosperity of these settlements, as much as are the Fanatical Dreamers, who unite to put forth Missionaries, on wild errands of a most dangerous policy? Have not these questionable characters been expelled from Jamaica and other Islands, and are they not considered in all Hindostan as a mischievous sect, going to the overthrow of the settled opinions and principles on which the safety and prosperity of British India rests secure? The Planters and Merchants are in pursuit of no extravagant chimeras, their objects are real and substantial. It is to such Associations that England owes much of her superiority in arts, manufactures, and commerce, and it is not in the low and vulgar abuse of a masked adventurer, either to obstruct or to discredit their lawful and meritorious exertions. He may never have been considered of consequence sufficient to have been admitted into any society; he has himself proclaimed his ignorance of them: but I will tell him, that societies for useful purposes are many and respected in England, and among them one, to protect the community against hypocrites, cheats, and impostors. Let him take warning--he may receive his first knowledge of the existence and power of that Association, by becoming the worthy object of its vigilance and pursuit. In his presumptuous folly, he dares to talk of what is manly and honorable in a character, he who stabs in the dark, and has ventured to give me the advice--*"that I should have remained at my post, and not have abandoned it as soon as I had occupied it."* Let him not prematurely rejoice and exult--I may return too

seen for his safety, and as it is apparent, from his brazen assertions, that he has no shame, to which he can be brought, it might be my duty to administer to him justice, and inflict upon him that EXALTATION which the consciousness of having long merited, may have disturbed his imagination and bewildered his understanding. To an anonymous defamer I disdain to give an explanation, but to you, Gentlemen, I am proud to affirm, that it was the sense alone of the obligations demanded in the administration of criminal justice, and the impracticability, growing out of the position in which I was placed, of fulfilling its duties, that made it incumbent upon me to obtain a leave of absence, that some information might be given on the subject.--I felt that to hold an office charged with the tranquillity and safety of society, and to be useless in it, would have been a crime against the public; and could I have seen errors and imperfections in a criminal office, and have been silent upon them, it would have been such an adoption of the abuse, as to have made it my own. Then indeed instead of a vigilant Public Officer in his department, whose province it is to uphold the public order, had I been indifferent to it, I should have become a criminal who ought to have been punished. I have every reason to believe, that the well thinking part of the community have approved of my conduct; and in my endeavours to obtain the remedy, I shall be at least followed by their good wishes.

It would be beneath me to dwell on the low allusion of having pointed to myself, when the choice of an intelligent organ of their sentiments was to be considered. There is enough of a little and envious spirit in that

wicked and mischievous performance, to render it sufficiently probable, that the mind of its author, is inhabited by mean and sordid sentiments. But I avow it, I have never been insensible to any honourable means of serving the public ; and had I been so distinguished as to have been elected for such a purpose, it would have been my proud ambition not to have discredited their choice. The observations on my political principles are but one string of unblushing falsehoods. If I have a virtue, it is the firmness, the disinterestedness, and the consistency of my public conduct. I have worn no mask ; it has not been acted in the dark, in holes and corners ; it has been in open day, it is known to and appreciated by the people of England, and exalted by their approbation. I have made no compromise with Government, and I enjoy in the fullest sense a free and independent character. To the Noble Lord who honoured me with my present appointment, I openly avowed the principles I ever have and do now maintain, and which will die with me ; and exactly to the following effect :---“ if my politics be opposed, my answer is, that they are and have always been English. As a Constitutional Lawyer I have resisted every attempt at any alteration in a system of government, which to the present hour lives unrivalled, and which as long as it remains unimpaired must administer to its happy and privileged subjects a degree of prosperity, security and confidence enjoyed by no nation under any other dominion. But as I have never lent my hand to alter the Constitution, so it will never be found employ-

ed in any invasion on the great, and I hope the imperishable charters and liberties of Englishmen."

But the whole of that anonymous libel is full of incongruities and contradictions. As an answer to strong facts and fair reasoning, it furnishes the example to prove my statement, and as a refutation of my argument, he imagines falsehoods and exaggerates them into mean and skulking personal abuse. The Author then presumes to offer these absurdities to the public as an answer to a sincere and I hope grave appeal to their candour and good sense, on local circumstances most interesting to its general safety. He then proceeds to charge me with having associated with persons in the Old Jewry, for purposes on which he appears as designedly as mischievously to have expatiated, and which, I dare not repeat, least I should be guilty of the same crime against the general security.*

With respect to the charge itself, it is like rest of his assertions, grossly false. I was entirely ignorant that a society was there associated for such insurrectionary purposes. There was a political club, at the head of which was the celebrated Dr. Price, and of which every Gentleman is informed, who has read the history of those times. It flourished long before I could take any share either in the shame or the credit of its exploits. But this insidious reporter of their proceedings has made a pretended answer to observations I felt it my duty to make in my official character, and not unnecessarily to

* One of the mischievous sentiments, and printed in Italick, as coming from that society and circulated among a Negro population, was, *a speedy Insurrection to the Negroes in Jamaica, and success to them!!!*

intrude myself on the public notice as he has done, a pretext and the medium of blazoning and spreading the murderous and destructive enterprizes, and the black projects of men, whom he eulogizes, as of "*clear heads and benevolent hearts, and with high notions of the blessings of liberty!!!*" He then goes on to proclaim in the most unreserved and unguarded language, which it is impossible to read without disgust, in the hope of provoking to the most sanguinary attempts all their most dangerous and seditious expressions. The spreading of those incendiary doctrines and sentiments among such inflammable materials is a great offence against the laws, and cannot be too much reprobated. In my absence he may perhaps think himself safe, and advance from his dark corner, but let him know that the universal sense of mankind leads them to entertain an instinctive horror against the lurking assassin. Fabricated personalities and anonymous lies are to be despised ; but I will tell this man in the mask, for "no contraries bear more antipathy than I and such a knave," that "laws exist to restrain the envious barking of every saucy *tongue*," and to impose upon it silence, reserve and discretion. As the guardian of the public peace and safety, I may yet bring him to trial for his aggravated and wicked sedition, who ever might protect him in his guilt, or attempt to screen him from its punishment.

Be he who he may, if not at present charged with the propagation of the atrocious principles he has emblazoned, his exaggerated praise of them exhibits him at least as a worthy candidate for the *ministry*, and

" Though small curs are not regarded when they grin," yet to abate a nuisance, and to secure our repose, they are banished from the pale of our hospitality, when they intrude only to disturb it.

I have the honor to be, with esteem and respect,

Gentlemen,

Your very obedient servant,

J. CLAYTON JENNYNS,

Second Fiscal.

George-Town, Demerary, Dec. 3.

FINIS.

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